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11 [Defendants' Counsel Listed on Second
12 Page]

13 UNITED STATES DISTRICT COURT
14
15 EASTERN DISTRICT OF CALIFORNIA
16 SACRAMENTO

17 LAGARION BROWN, ROY JACKSON,
18 YAPHETT SAUNDERS, ISAAC
19 SAUNDERS, HAKEEM ALLAMBIE,
20 and NICHOLN GARRETT, individually
and on behalf of those similarly situated,

21 Plaintiffs,

22 vs.

23 TETRA TECH, INC., JESCO
24 ENVIRONMENTAL AND
25 GEOTECHNICAL SERVICES, INC., and
DOES 1-20,

26 Defendants.
27
28

Case No. 2:20-CV-01133-JAM-DMC

**JOINT STIPULATION AND ORDER
TO ALLOW PLAINTIFFS TO FILE
SECOND AMENDED COMPLAINT**

Assigned to: Judge John A. Mendez

Complaint Filed: June 3, 2020

First Amended Complaint Filed: July 23,
2020

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14 TETRA TECH, INC.

1 Defendants Tetra Tech, Inc. (“Tetra Tech”) and Jesco Environmental and
2 Geotechnical Services, Inc. (“Jesco”) (collectively, “Defendants”), and Plaintiffs
3 Lagarion Brown, Roy Jackson, Yaphett Saunders, Isaac Saunders, Hakeem Allambie,
4 and Nichlon Garrett (collectively, “Plaintiffs”), file this Joint Stipulation to Allow
5 Plaintiffs to File Second Amended Complaint as follows:

6 WHEREAS, Plaintiffs filed their Complaint on June 3, 2020 and a First
7 Amended Complaint on July 23, 2020;

8 WHEREAS, Plaintiffs served Defendants with Waiver of Service of Summons
9 on July 28, 2020;

10 WHEREAS, pursuant to Federal Rule of Civil Procedure (“Rule”) 4,
11 Defendants’ responsive pleadings would have been due on September 28, 2020;

12 WHEREAS, on October 5, 2020, the Court ordered that Defendants’ time to file
13 a responsive pleading be extended to October 26, 2020, per the Parties’ Joint
14 Stipulation requesting the same due to Plaintiffs’ intent to file a Second Amended
15 Complaint;

16 WHEREAS, the Parties have been meeting and conferring about Defendants’
17 intended motion to dismiss, and Plaintiffs, per their evaluation of Defendants’
18 position, made some changes to the First Amended Complaint in the form of the
19 proposed Second Amended Complaint, attached hereto as Exhibit A;

20 WHEREAS, Defendants do not object to Plaintiffs’ seeking leave to file the
21 Second Amended Complaint, attached hereto as Exhibit A, but reserve their right to
22 respond to the Second Amended Complaint through a Rule 12 motion;

23 WHEREAS, pursuant to Rule 15, Defendants’ responsive pleadings are due 14
24 days after service of the Second Amended Complaint.

25 NOW THEREFORE, the Parties hereby respectfully request that the Court
26 enter an Order accepting Plaintiffs’ Second Amended Complaint and affirming that
27 Defendants’ responsive pleadings are due in 14 days.
28

1 Date: October 23, 2020

2
3 By: /s/Leanna Marie Sac
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5 Stan Mallison, SBN 184191
6 Hector Martinez, SBN 206336
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By: /s/ Galit A. Knotz
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7 By: /s/ Damien P. Delaney
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9 Brian M. Noh, SBN 293564
10 Attorneys for Defendant
TETRA TECH, INC.

ORDER

For good cause set forth above, the Court hereby orders the following:

1. Plaintiff is granted leave to file a Second Amended Complaint, attached to the Joint Stipulation as Exhibit A;
2. The Second Amended Complaint shall be deemed entered and served on October 23, 2020;
3. Defendants' responsive pleadings shall be filed no later than November 6, 2020.

IT IS SO ORDERED

DATED: October 26, 2020

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ

UNITED STATES DISTRICT COURT JUDGE